IN THE HIGH COURT OF JUDICATURE AT BILASPUR

CHHATTISGARH

SINGLE BENCH

WRIT PETITION No.3200 /2006

PETITIONER : Muslima Khatoon, w/o. Late Abdul Majeed Khan aged about 70 years, R/o. Hospital Road, Lakhanpur, Tah. Lakhanpur, Distt. Surguja (C.G.).

P.R. No. 3255/06
Presented on 30/6/06
dated

VERSUS

RESPONDENTS

1. State of Chhattisgarh, through Secretary, Public Works Department, D.K.S. Bhawan, Raipur (C.G.)
2. Executive Engineer PWD Division No.1 Ambikapur.
3. Accountant General, Chhattisgarh Govt. Fafadih Chowk, Raipur (C.G.).
4. Joint Director Accounts and Pensions, Bilaspur division, Bilaspur.

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CLERK to A. G. BILASPUR

30.06.06

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA.

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WPSD 3200 06 **सन् 200**

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	4-7-2006:- Smt. Hamida Siddique, counsel for the petitioner. Miss Dipali Pandey, Panel Lawyer for the State/respondents No.1, 2 and 4, on advance copy. Heard both the counsel. The main grievance raised by the petitioner in this petition is that she is not being granted family pension by the respondents. The case of the petitioner is that she is the widow of late Abdul Majeed Khan who was working as Time Keeper in the office of respondent No.2 Executive Engineer, PWD Division No.1, Ambikapur. On attaining the age of superannuation, the husband of the petitioner retired on 31st March 1979 and his pension was fixed vide Annexure-P/1 and P/2. The petitioner's husband died on 8.5.2004 and the certificate is Annexure-P/3 leaving behind the petitioner who is aged about 70 years, therefore, she is entitled for family pension. The petitioner submitted the documents to respondents, then they asked the petitioner to bring succession certificate, on which the petitioner applied for the succession certificate and the succession certificate (Annexure-P/5) was also submitted to the respondents. The pension PPO No.PA2/ST/20, 857 in original form were also forwarded from the bank to the office of the Treasury, Ambikapur vide Annexure-P/6. Even after so much correspondence, the family pension is not being sanctioned for the petitioner. Learned counsel for the petitioner submitted that, therefore, respondent No.2 be directed to decide family pension case of the petitioner at the earliest as the petitioner is an old lady of 70 years to which counsel for respondents No.1, 2 and 4 has no objection.	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
Barve	Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, having perused the record, and without expressing any opinion on the merit of the case, prayer made by learned counsel for the petitioner is just, fair and reasonable, therefore, respondent No.2 is directed to initiate the case for grant of family pension, in accordance with law, and send the same to respondent No.4 within a period of one month from the date of receipt of copy of this order, in turn, respondent No.4 shall examine and scrutinize the case and shall forward the case to respondent No.3 for sanction of family pension to the petitioner within a period of one month from the date of receipt of papers from respondent No.2, in turn, respondent No.3 shall decide the case of the petitioner for grant of family pension, within a period of one month from the date of receipt of the papers from respondent No.4, in accordance with law. With the direction aforesaid, the petition stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	